

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

SEANEH BANGALU,

Plaintiff,

v.

PROSPECT PARK HEALTH &
REHABILITATION RESIDENCE, et al.

Defendants.

CIVIL ACTION NO: 13-4076

REQUEST FOR JUDGMENT UNDER FRCP RULE 68

TO THE CLERK OF THE COURT:

Attached to this Request are true and correct copies of the Offer of Judgment (Exhibit A) and the Notice of Acceptance of Offer of Judgment (Exhibit B), which have been served in this case. Pursuant to the provisions of Rule 68 of the Federal Rules of Civil Procedure, Plaintiff Seaneh Bangalu (“Plaintiff”) requests that the Clerk of this Court:

- 1) File the Offer of Judgment and Notice of Acceptance of the Offer of Judgment;
- 2) Enter Judgment against Defendants Prospect Park Health & Rehabilitation Residence, et al. on behalf of Plaintiff in the amount of \$1,000, with costs and fees to be taxed to the Court upon application by Plaintiff pursuant to Rule 54(d) of the Federal Rules of Civil Procedure. 29 U.S.C. § 216(b).
- 3) Order Plaintiff to submit a fee petition and bill of costs for fees and costs pursuant to Rule 54(d) and 29 U.S.C. § 216(b) within 30 days of the entry of Judgment in lieu of

the default 14 days contemplated by Rule 54(d)(b).

Respectfully submitted,

SWARTZ SWIDLER LLC

By: /s Matthew D. Miller
Matthew D. Miller
Attorney for Plaintiff
1878 Marlton Pike East
Society Hill Office Park, Ste. 2
Cherry Hill, NJ 08003

Dated: May 29, 2014